

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

EDWIN C. MARTIN, JR., et al.,)
)
Plaintiffs,)
)
vs.) Case No. 4:05CV1857 AGF
)
JAMES P. HOLLORAN, et al.,)
)
Defendants.)

ORDER

This matter is before the Court on Defendants' motion for clarification of the Court's Order of April 30, 2009. The Order set a Rule 16 Scheduling Conference and directed the parties to submit, by May 28, 2009, a joint proposed scheduling plan for discovery, among other things. Defendants assert that the parties have different views of the nature of the trial upon which discovery is to commence, with Defendants believing that the trial would be limited to the question of whether they executed a written Associate Counsel Agreement. According to Defendants, if it were found that such an agreement was signed by Defendants, the arbitration clause of this agreement would require the breach of contract issues in this action to be arbitrated, rather than tried.

However, no issue related to the arbitration clause is currently pending before the Court.

Accordingly,

IT IS HEREBY ORDERED that Defendants' motion for clarification is
DENIED. [Doc. #112]

Audrey G. Fleissig
AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 26th day of May, 2009.